

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

TCA PROPERTIES, LLC; *et al.*,

Plaintiffs,

v.

FJ MANAGEMENT INC.,

Defendant.

3:14-CV-0267-LRH-WGC

ORDER

Before the court is plaintiffs TCA Properties, LLC (“TCA”) and Gas Properties, LLC’s (“GAS”) (collectively “plaintiffs”) motion to supplement the briefing on the two motions for summary judgment currently pending before the court (Doc. ##16, 25¹). Doc. #45.

The court has reviewed the documents and pleadings on file in this matter and finds that good cause exists to allow additional summary judgment briefing. In their motion, plaintiffs seek to supplement the summary judgment record with more than 200 pages of additional evidence that was discovered after the filing of the underlying summary judgment motions. The court has reviewed the proffered evidence recently disclosed by non-party the Nevada Department of Transportation (“NDOT”) and finds that the evidence is relevant to several factual issues briefed in the underlying motions. Therefore, the court shall grant plaintiffs’ request.

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¹ Refers to the court’s docket number.


1 However, because supplemental briefs related solely to this new evidence would present the
2 evidence and legal argument piecemeal and outside the context of the present motions while also
3 negating some of the arguments presented in the original motions, the court shall deny the present
4 motions for summary judgment without prejudice and allow both parties the opportunity to file new
5 motions for summary judgment.

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7 IT IS THEREFORE ORDERED that plaintiff's motion to supplement (Doc. #45) is
8 GRANTED.

9 IT IS FURTHER ORDERED that defendant's motion for summary judgment (Doc. #16)
10 and plaintiff's motion for partial summary judgment (Doc. #25) are DENIED without prejudice.
11 The parties shall have thirty (30) days from entry of this order to file new motions for summary
12 judgment in accordance with this order.

13 IT IS SO ORDERED.

14 DATED this 10th day of July, 2015.

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16 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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